

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: MICHAEL SIEMIEN, Debtor, CONSUMER PORTFOLIO SERVICES, INC., Movant v. MICHAEL SIEMIEN and FREDERICK L. REIGLE, Ch. 13 Trustee, Respondents	Bankruptcy No. 16-11298-sr Chapter 13 Related to Doc. No. 30
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ORDER OF COURT

AND NOW, this 9th day of September, 2016, upon consideration of the foregoing Stipulation Resolving Motion for Relief from Stay, it is hereby ORDERED that the Stipulation is approved.



Hon. Stephen Raslavich
United States Bankruptcy Court Judge

Via electronic mail:

Brad Sadek, Esq.
Frederick L. Reigle
Office of the United States Trustee

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Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

By: /s/ Peter J Ashcroft
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Inc.

IN THE UNITED STATES BANKRUPTCY COURT
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In re: MICHAEL SIEMIEN, Debtor, CONSUMER PORTFOLIO SERVICES, INC., Movant v. MICHAEL SIEMIEN and FREDERICK L. REIGLE, Ch. 13 Trustee, Respondents	Bankruptcy No. 16-11298-sr Chapter 13 Related to Doc. No. 30
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STIPULATION RESOLVING
MOTION FOR RELIEF FROM STAY

AND NOW, comes Movant, Consumer Portfolio Services, Inc., by and through its undersigned counsel, Bernstein-Burkley, P.C., and, Debtor, Michael Siemien, by and through his undersigned counsel, Brad Sadek, and together file this Six-Month Stipulation Resolving Motion for Relief from Stay (the “Stipulation”), stating as follows:

1. The automatic stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. Movant has a secured interest in Debtor’s 2007 Honda Civic Sedan 4D 1.3L I4 Hybrid, VIN JHMFA36257S032473 (hereinafter the “Vehicle”).
3. The total post-petition arrears to Movant to be cured in this Stipulation is \$2,821.42, including \$350 in legal fees and \$176.00 in costs.
4. Debtor shall cure the post-petition arrears by making monthly payments beginning in the month of October 2016 in the amount of \$853.22 until the post-petition arrears

are cured. After the post-petition arrears are cured, Debtor shall timely make all future regular \$382.98 monthly payments to Movant pursuant to the terms of the Contract. The payments and due dates will be as follows:

October 1, 2016	\$853.22
November 1, 2016	\$853.22
December 1, 2016	\$853.22
January 1, 2017	\$853.22
February 1, 2017	\$853.22
March 1, 2017	\$853.22
April 1, 2017	\$382.98 (regular payments begin again)

5. Debtors shall direct the payments to:

Consumer Portfolio Services
K.C. Jacobson
PO Box 57071
Irvine, CA 92619

6. Payments must be received by Movant at the above-referenced address on or before the 1st day of each month (except for the first payment). If Movant does not timely receive the full monthly payment Movant may send Debtor and counsel a written notice of default of this Stipulation. Movant may send the written notice by fax or e-mail, instead of or in addition to regular mail. If the default is not cured within ten (10) days of the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court may enter an Order granting Movant relief from the automatic stay as to the Vehicle without further hearing.

7. If Debtor has defaulted on the Stipulation in two separate months then, if Debtor defaults a third time, Movant may file a Certification of Default without having to first send Debtor notice of the Default.

8. In the event the instant bankruptcy case is converted to a case under Chapter 7 of the Bankruptcy Code, the Debtor shall cure the pre-petition and post-petition arrears within ten (10) days from the date of such conversion. Should Debtor fail to cure said arrears within the ten

day period, such failure shall be deemed a default under the terms of this Stipulation and Movant may send Debtor and counsel a written notice of default. If the default is not cured within ten (10) days from the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the automatic stay as to the Vehicle.

9. This Stipulation may only be modified by a revised Stipulation filed on the docket in the Bankruptcy. No oral modifications are permitted and any allegation that the Stipulation was modified orally will be disregarded as evidence. No written modifications are permitted, except for a revised Stipulation filed on the docket in the Bankruptcy.

Agreed to by:

By: <u>/s/ Peter J Ashcroft</u> Peter J Ashcroft, Esq. PA I.D. # 87317 pashcroft@bernsteinlaw.com Bernstein-Burkley, P.C. 707 Grant Street, Suite 2200, Gulf Tower Pittsburgh, PA 15219 (412) 456-8107 Fax: (412) 456-8135 Counsel for Consumer Portfolio Services, Inc.	By: <u>/s/ Brad Sadek</u> Brad Sadek Sadek and Cooper 1315 Walnut Street Suite 502 Philadelphia, PA 19107 215-545-0008 Fax : 215-545-0611 Email: brad@sadeklaw.com Counsel for Michael Siemien	By: <u>/s/ Polly A. Langdon</u> Polly A. Langdon, Esq. Frederick L. Reigle, Esq. 2901 St. Lawrence Avenue P.O. Box 4010 Reading, PA 19606 (610) 779-1313 Email: ecfmail@fredreiglechl3.com Counsel for Frederick L. Reigle, Ch. 13 Trustee
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Dated: September 8, 2016